

March 3, 2015

Excellency:

I have the honor to refer to the Protocol concerning Specially Protected Areas and Wildlife (SPA W) to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region, done at Kingston January 18, 1990, for which the Government of Colombia is the depositary. On behalf of the United States of America, I have the further honor to inform you that pursuant to Article 11.4(d) of the SPA W Protocol the United States of America enters a reservation to the listing of the following ten species in Annex II and Annex III of the Protocol, as decided by the SPA W Conference of Parties during its meeting in Cartagena, Colombia on December 9, 2014:

ANNEX II

Corals

Acropora cervicornis- Staghorn coral

Acropora palmate- Elkhorn coral

Montastraea annularis- Boulderstar coral

Montastraea faveolata- Mountain star coral

Her Excellency

María Ángela Holguín Cuéllar,
Minister of Foreign Affairs,
Republic of Colombia.

DIPLOMATIC NOTE

Birds

Catharus bicknelli- Zorzal / Tordo de Bicknell

Pterodroma hasitata - Petrel de Coronilla negra

ANNEX III**Birds**

Columba leucocephala - White-crowned pigeon

Plants

Guaiacum sanctum - Lignum vitae, Holywood

Ekmanianthe longifora - Roble Real

Bombacopsis emarginata - Seibon de Arroyo

This reservation is based on the concern of the United States that the decision to list these ten species was the outcome of a process that failed to follow the procedures for listing that are set forth in Article 11.4 of the Protocol.

Article 11.4 (a)-(c) of the SPAW Protocol details the following procedures for amending the annexes:

(a) any Party may nominate an endangered or threatened species of flora or fauna for inclusion in or deletion from these annexes, and shall submit to the Scientific and Technical Advisory Committee (STAC), through the Organization, supporting documentation, including, in particular, the information noted in Article 19. Such nomination will be made in accordance with the guidelines and criteria adopted by the Parties pursuant to Article 21;

(b) the Scientific and Technical Advisory Committee shall review and evaluate the nominations and supporting documentation and shall report its views to the meetings of Parties held pursuant to Article 23;

(c) the Parties shall review the nominations, supporting documentation and the reports of the Scientific and Technical Advisory Committee. A species shall be listed in the annexes by consensus, if possible, and if not, by a three-quarters majority vote of

the Parties present and voting, taking fully into account the advice of the Scientific and Technical Advisory Committee that the nomination and supporting documentation meet the common guidelines and criteria established pursuant to Article 21[.]

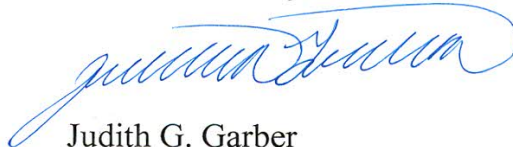
The Parties elaborated on these procedures in a set of guidelines adopted in 2004.

The ten species in question were added to the annexes without a formal nomination by any Party, without the requisite supporting documentation, and without the STAC's review. The failure to follow the procedures for listing as set forth in Article 11.4 prevented the United States from conducting a full scientific review and from following the domestic procedures that are a prerequisite for acceptance by the United States of SPAW Protocol listings.

While the SPAW Protocol Parties' decision to list these ten species without following the Protocol's procedures compels the United States to enter this reservation, the United States may consider withdrawing its reservation for the relevant species after it completes its own domestic review process.

I would be grateful if you would notify all Parties of this reservation in accordance with Article 11.4(d) of the SPAW Protocol.

For the Secretary of State:



Judith G. Garber

Acting Assistant Secretary of State